

**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: MAY 19, 2009**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

Bill No. 2009-20 – Prohibits alcoholic beverages and glass beverage containers in City parks except pursuant to a permit or other written authorization. Sponsored by: Councilman Gary Reese

**Fiscal Impact**

☒

**No Impact**

☐

**Augmentation Required**

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**Budget Funds Available**

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

Under current ordinances and regulations, alcoholic beverages are prohibited in the parking lots and playground areas of City parks, but there has been some uncertainty as to how to apply the prohibitions in various locations. Additionally, park-related problems caused by the presence of alcoholic beverages and glass containers have increased, calling for a broadening of the existing prohibition. This bill will provide an updated rule, prohibiting alcoholic beverages and glass beverage containers in City parks except pursuant to a permit or other written authorization.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

1. Bill No. 2009-20
2. Business Impact Statement
3. Submitted at meeting – List of Reservable and Proposed Reservable Parks by Staff

Motion made by OSCAR B. GOODMAN to Forward to the City Council with No Recommendation

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, OSCAR B. GOODMAN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CITY ATTORNEY BRAD JERBIC explained that this bill would prohibit alcoholic beverages in City parks without a permit from the Department of Leisure Services. It would also prohibit

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any beverages in glass containers in parks. Broken glass is the major cause of injuries to staff maintaining the parks. He also requested that the bill be modified to include COUNCILWOMAN TARKANIAN as a co-sponsor to reflect her involvement in this bill's development.

MAYOR GOODMAN suggested that the City Marshalls be given the authority to issue permits in the parks. CHIEF KAREN COYNE, Director of Detention and Enforcement, requested an opportunity to evaluate MAYOR GOODMAN'S suggestion. She explained that the proposed permitting process would assist in planning for staffing levels because staff would be informed of upcoming events where alcohol will be served and the number of people expected to attend, noting that 50,000 people typically use the parks on the weekends. The intention of the permit requirement was to encourage voluntary compliance and the permit process would be made as seamless as possible for the citizens.

DEPUTY CITY MANAGER ORLANDO SANCHEZ noted that the City has 24 parks with a total of 91 pavilions where alcoholic beverages would be allowed with a permit. CITY ATTORNEY JERBIC pointed out the permit process will apply only to parks that are appropriate for alcohol consumption, which CITY MANAGER ELIZABETH FRETWELL noted would be established by policy and not this ordinance. The bill as proposed would not allow the issuance of on-site permits.

BILLIE BASTIAN, Acting Director of Leisure Services, named the current and proposed parks that have pavilions that can be reserved and submitted a map for the record. Permits would be available at the Leisure Services Administration Office at 749 Veterans' Memorial Drive, Monday through Friday, from 8:00 a.m. to 4:30 p.m.

MAYOR GOODMAN suggested that a limit be placed on the number of alcoholic beverages permitted for consumption in a park as an alternative. CHIEF COYNE explained that tracking consumption was difficult and noted the relationship between drinking and driving by citizens in the parks. She added that several departments had participated in the creation of this bill to make it comprehensive. She acknowledged that more planning would be required by citizens who wished to use the parks, but suggested the benefit outweighed the inconvenience. Additionally, the processing of permits would be reduced to three days instead of 14 days.

MAYOR GOODMAN observed that parks are used most frequently on the weekends. He stated he could not support this bill, but would support forwarding it to the City Council with no recommendation.

COUNCILMAN BARLOW concurred with MAYOR GOODMAN'S statements and expressed his support for the prohibition of beverages in glass containers, noting that glass is one of the major causes of injury to park maintenance staff.